

**MEMO ENDORSED**

EVAN SPENCER, ESQ.  
305 Broadway, 14<sup>th</sup> Floor  
New York, NY 10007  
Telephone: (347) 931-1814  
Facsimile: (347) 402-9331

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 08/27/2013

TED DIMOND, and others similarly situated,

Plaintiffs,

- against -

DARDEN RESTAURANTS, INC., *et al.*

Defendants.

**Case No. 1:13-CV-5244 (KPF)**

**NOTICE OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, plaintiff Ted Dimond, by his attorney Evan Spencer, Esq., hereby voluntarily dismisses Defendants Hilton Worldwide, Inc, New York Midtown Hilton, Host Hotels & Resorts, Inc., Starwood Hotels and Resorts, Inc., W Hotel Restaurants, TGIFriday's, Masa, Tao Group, and Planet Hollywood, Inc. from this action without prejudice and without costs.

Dated: August 26, 2013  
New York, New York

Respectfully submitted:



Evan Spencer, Esq.

305 Broadway, 14<sup>th</sup> Floor  
New York, NY 10007  
Telephone: (347) 931-1814  
Facsimile: (347) 402-9331

Attorney for Plaintiffs

August 27, 2013

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE